

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

OJORE MULUMBA AJAMU VII,	)	8:11CV49
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
DOUGLAS COUNTY DISTRICT	)	
COURT,	)	
	)	
Respondent.	)	

This matter is before the court on its own motion. On February 17, 2011, the court entered a Memorandum and Order in which it stated the following:

Petitioner has failed to include the \$5.00 filing fee. Petitioner has the choice of either tendering the \$5.00 fee to the Clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If Petitioner chooses to do the latter, the enclosed pauper's forms should be completed and returned to this court.

(Filing No. [7](#) at CM/ECF p. 1.) The court ordered Petitioner to either pay the \$5.00 filing fee or submit an in forma pauperis application by March 18, 2011. (*Id.*) At the court's direction, the Clerk of the court mailed to Petitioner a Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit. (*See* Text Entry of February 17, 2011.) To date, Petitioner has not paid the \$5.00 filing fee or submitted an in forma pauperis application.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Petitioner failed to prosecute this matter diligently and failed to comply with this court's orders.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 4<sup>th</sup> day of April, 2011.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge

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